

REMARKS/ARGUMENTSCLAIM REJECTIONS UNDER 35 USC § 102(b)

Leu et al. relate to a method for preparing a pre-cooked meat consisting essentially of coating a meat with a liquid marinade possibly containing wine (initial coating), coating the meat again with a dry marinade of farinaceous material and salt, cooking and then freezing the cooked meat.

Leu et al. differ from the instant invention in that Leu et al., uses a marinade, which is a liquid sauce for the treatment (coating) of the surface of the piece of meat.

The liquid marinade according to Leu et al. is not a pickling solution, in the meaning of the present invention.

The liquid marinade of Leu et al coats the meat and is not injected into the meat; on the contrary, the pickling solution of the instant invention is injected under pressure into the meat.

Moreover, in Leu et al. the meat is cooked without having been placed before in vacuum bags: this feature of the instant invention is therefore not anticipated by Leu et al.

The marinated meat obtained pursuant to Leu et al. process is a product which needs to be frozen after the cooking step.

On the contrary, the product of the instant invention can be kept without being frozen, for several weeks.

Therefore, Leu et al do not disclose the salt-treated, cooked product according to the instant invention.

For the above reasons, it is respectfully submitted that Leu et al. is not relevant against the novelty of the instant invention.

Halden et al. (5,158,794) relate to the use of a modified starch for the manufacture of a processed cooked meat. The starch is used in order to higher the yield of production and to reduce the cooking time and hence the losses of products due to the cooking. It also improves the tenderness of the meat.

Halden et al. mention wine as an optional, non necessary ingredient. Halden et al. explain that the composition of the marinating or pickling medium usually contains, in addition to the starch, standard ingredients.

Halden et al. indicate that the marinating or pickling solution can be contacted with the marinating or pickling medium by overnight maturation, vacuum tumbling or injection followed by tumbling in the marination medium for a period of time to allow penetration of starch into the meat (col.2 line 6-11).

According to Halden et al. (see examples and claims), the essential ingredient is preferably the COLFLO 67 starch or the like: the results obtained by Halden et al. actually require that the starch is a heat-stable starch (see claim 1), which preferably is also a freeze-thaw stable starch (see

col. 2 Line 27-28), and that it is used in an accurate amount of 2 to 4 % (w/w) of the treated product (see claim 1 and examples). Examples show that the yield and the tenderness vary depending whether or not the COLFLO 67 starch is used.

It is to be noted that dextrose alone, which is a starch derivative frequently used in pickling solutions and in marinades, does not lead to the effects sought by Halden et al.

The instant invention differs from Halden et al., in that the instant invention uses a solution containing food-grade alcohol and salt, as a preservative means making possible to avoid the use of nitrates or nitrites.

Nothing in Halden et al. discloses nor suggest such a pickling solution.

Thus, Halden and al. fail to anticipate the features of claims 12-15.

For the above reasons, it is respectfully submitted that Halden et al. is not relevant against the novelty of the instant invention.

Katayama et al. (EP 743011) relate to a processed meat, which can be raw meat, thawed or frozen, refrigerated or chilled (see EP743011 page 5 line 33).

Katayama et al. do not describe a cooked meat.

The processed meat according to Katayama et al. includes a salt solution, and can also include alcohol (see claim 4). Addition of wine is made for improvement of the soft sensation, the luster and the taste of the meat (see EP743011 page 6 lines 36-41).

Even though Katayama et al. treat the meat with a salted solution, Katayama et al. do not relate to a salting process in the meaning given by the meat-salting industry: the obtained meat in Katayama et al. is not a salt-meat product able to be kept for several weeks.

In addition, Katayama et al do not describe the use of a single pickling solution containing both salt and alcohol, but the use of a saline solution, and then the addition of alcohol.

Moreover, Katayama et al. do not describe nor suggest that the impregnation solution could be injected under pressure and do not describe the feature of the instant invention, wherein the product is packed before being cooked.

Thus, Katayama et al. fail to anticipate the features of claims 12-15.

For the above reasons, it is respectfully submitted that Katayama et al. is not relevant against the novelty of the instant invention.

Sun et al. relate to a dried chicken made up of chest chicken through slicing, addition of wine etc..., baking and far infrared roasting at 180-200 °C for 1-2 minutes.

Sun et al. do not disclose the use of a pickling solution, and does not relate to a salt-treated, cooked product, using a special pickling solution injected under pressure, said product being put into a vacuum bag before cooking.

Thus, Sun et al. fail to anticipate the features of claims 12-15.

For the above reasons, it is respectfully submitted that Sun et al. is not relevant against the novelty of the instant invention.

CLAIM REJECTIONS UNDER 35 USC § 112

Claim 13 is amended and reference is kept to the genus (poultry) term. Claims 18 and 19 are added and refer to the species.

Claim 15 is corrected.

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In view of the above remarks, Applicants allege the rejection of claims 12-15 under 35 USC should be withdrawn and Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

If there are any remaining issues which can be expedited by a telephone conference, the Examiner is courteously invited to telephone the counsel at the number indicated below.

Respectfully submitted,

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Oct. 1, 2004

Date

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